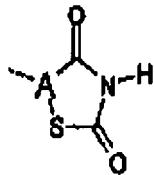


REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 1-5, 7, 9 and 10 will be active in the application subsequent to entry of this Amendment. Of these all but claims 9 and 10 are directed to elected subject matter. Claims 9 and 10 remain in the case and stand withdrawn but may be rejoined upon the allowance of the elected compound claims as noted in part 3, page 2 of the Official Action.

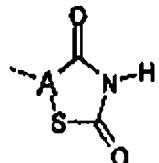
A new Abstract of the Disclosure has been provided responsive to the examiner's comments on page 6, second section of the Action.

The claims have been amended in order to more particularly point out and distinctly claim that which applicants regard as their invention and to direct them to the elected subject matter. In addition, the claims are amended to exclude the prior art cited in the Official Action, as discussed below. That is, when A, COY and R₁ together form a cycle of the type:



-R₂ is not H, Q is not O, n is not 1, m is not 2, f is not 0 and Ar is not phenyl.

Claim 1 has been amended to exclude the compound of Kawamatsu et al and the ring



is now the subject of new claim 12 and R₂ does not include H.

Claims 6 and 8 have been deleted as non-statutory. Claim 7 has been amended as has claim 9 and new claim 10 added directed to the "particularly ..." portion of claim 9.

The amendments to the claims also address typographical errors and other forms of presentation commented upon by the examiner on page 6, first paragraph of the Action. In addition, claim 5 has been expanded to include the subject matter of Examples 46-49 which are within the elected subject matter. There was a typographical error in claim 1 where A is defined

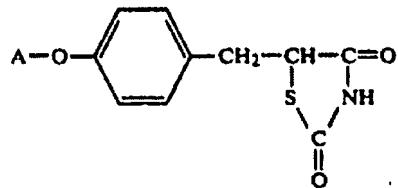
as "CX". In fact, reverting to the claims in the underlying PCT application, the correct term is CH; *see* page 89 and claim 1 of the published PCT application.

In preparing the revised claims counsel has taken into account the examiner's comments on page 5 under 35 USC §112, second paragraph and claim clarity.

Original claims 1, 3, 6 and 7 stand rejected as being anticipated by two U.S. patents. Presumably the rejection is based upon the two patents taken individually since the examiner is alleging anticipation.

Applicants' claims have been amended in order to exclude the specific compound of Sahoo et al U.S. 6,399,640. Also referenced in the Official Action (but not specifically identified), was a U.S. patent to Kawamatsu et al. The examiner referenced Kawamatsu et al example 9 (table) without specifying the patent number in the IDS it corresponds to, U.S. 4,287,200, U.S. 4,340,605, U.S. 4,438,141 or U.S. 4,444,779.

The compounds of Kawamatsu et al having an additional -CH2- residue are not included in the general formula of claim 1:



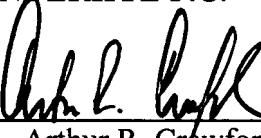
For the above reasons it is respectfully submitted that the claims of this application are not anticipated by either of the cited documents and that the claims are patentable. It goes without saying that claims 2, 4 and 5, not included in the prior art-based rejection, are patentable in their own right.

Reconsideration and favorable action are solicited. Should the examiner require further information, please contact the undersigned.

GIANESSI et al
Appl. No. 10/501,135
September 12, 2007

Respectfully submitted,

NIXON & VANDERHYE P.C.

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